

REMARKS

**Rejections under 35 U.S.C. § 101**

The Examiner has rejected claims 1-26 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner has stated the claims are not within the technological arts. In addition, the Examiner has stated that Claim 1 does not produce a useful, concrete, and tangible result. Claim 1 has been amended to incorporate the limitations of Claim 2. As such, per the Examiner's comments, Claim 1 is now believed to produce a useful, tangible, concrete result. In addition, Claim 1 and Claim 18 have been amended to bring them within the technological arts. Therefore, Independent Claims 1 and 18, and the associated dependent claims, are believed to be directed towards statutory subject matter. Therefore the rejection is respectfully traversed.

**Rejections under 35 U.S.C. § 102**

The Examiner has rejected claims 1 - 31 as allegedly being "anticipated" by U.S. Patent No. 5,799,289 to Fukushima. Independent Claims 1, 18, and 27 have been amended. The amendment to Claim 1 includes incorporating the limitations of now canceled Claim 2. Therefore, Applicants traverses this rejection based on the above Amendment and the following Remarks, and respectfully request that the Examiner reconsider the rejection, and that he withdraw it.

As amended, Claim 1 recites "establishing a plurality of supplier classes", and "establishing a supplier selection guideline associated with one or more of said supplier classes, said guidelines identifying at least one step of a supplier selection process to be used in response to said value threshold and said supplier classes". Fukushima does not teach or suggest these limitations. Fukushima discloses permitting an execution of an ordering process when the calculated total of the previously ordered costs is within a budget of the orderer. [Col. 2, Line 4 – 10] In addition, in one embodiment, Fukushima discloses selecting one of the suppliers whose total cost of previously received orders is within an order limit. [Col. 2, Line 15 – 20]. However, Fukushima does not teach or suggest establishing a plurality of supplier classes, as recited in Claim 1. Therefore, Claim 1 and the associated dependent Claims 3 – 17 are believed allowable in light of Fukushima.

As amended, Claim 18 recites "determining a documentation amount in response to said selection guidelines said comparison". Fukushima does not teach or suggest determining

the amount of documentation in response to the guidelines and the comparison of the transaction value and the value threshold. Therefore, Claim 18, and the associated dependent Claims 19 – 26 are believed allowable in light of Fukushima.

Amended Claim 27 recites a system configured to manage a procurement process, “said management including documenting at least one aspect of said supplier selection process in response to said guidelines, said supplier classes and said comparison”. Fukushima does not teach using the selection guidelines, the supplier classes, and the value comparison to make determinations regarding documentation.

New Claim 32 recites “establishing a transaction, said transaction having a predicted transaction value, “comparing said predicted transaction value with said value threshold in an automated manner”, and “managing the supplier selection process in response to said comparison”. Fukushima does disclose “The collection processing unit 76 outputs order permission information only when the momentary sum of the ordered supplies does not exceed a predetermined budget for each department or section so that an order exceeding the predetermined budget is prevented from being placed. [Col. 4, Line 60 – 66]. However, this does not teach or suggest managing the procurement process utilizing predicted transaction values. Therefore, Fukushima does not teach managing the supplier selection process in response to a comparison of a predicted transaction value with a value threshold.

New Claim 33 recites “modifying a characteristic of said procurement process in response to said actual billed value exceeding said value threshold, said supplier selection guideline, and said supplier classes”. Fukushima does disclose “When the summed cost of previously ordered supplies exceeds the budget of the department or section, the collection processing unit sends, in setp S8, an error message to the personal computer 1a of the terminal unit A.” [Col 7, Line 34 – 38] However, this does not teach Claim 32. For example, among other reasons, this passage does not account for supplier classes. Therefore, Fukushima does not teach modifying part of the procurement process a characteristic based on the actual amount billed exceeding the value threshold, the selection guidelines, and the supplier classes.

**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections, and that he withdraw them. The Examiner is courteously invited to telephone the undersigned representative if he believes that an interview might be useful for any reason.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "W. Bryan McPherson III", is written over a horizontal line.

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